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FINANCIAL SERVICES AMERICAS LLC

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA, SANTA ROSA DIVISION

In re

RONALD JAMES BARBIERI,

Debtor(s).

CHRYSLER FINANCIAL SERVICES AMERICAS  
LLC, f/k/a DAIMLERCHRYSLER FINANCIAL  
SERVICES AMERICAS LLC,

Movant.

vs.

RONALD JAMES BARBIERI and TIMOTHY W  
HOFFMAN, Trustee,

Respondents.

Case No. 09-12584 AJ

CHAPTER 7

RS No.: JHK-303

**DECLARATION OF CYNTHIA LATIMER IN  
SUPPORT OF MOTION FOR RELIEF FROM  
AUTOMATIC STAY**

Hearing Date and Time:

Date: NOVEMBER 25, 2009  
Time: 9:00 AM  
Dept:

I, CYNTHIA LATIMER, declare:

1. I am the Bankruptcy Liaison for Movant, and I am authorized to make the following declaration.

2. I am one of the custodians of the books, records and files of Movant as to those books, records, and files that pertain to loans, leases and extensions of credit given to Debtor(s) concerning the Vehicle herein. I have personally worked on Movant's books, records and files in connection with Debtor(s)' account, and as to the following facts, I know them to be true of my own knowledge or I have gained knowledge of them from the business records of Movant which are maintained in the ordinary course of

1 knowledge of them from the business records of Movant which are maintained in the ordinary course of  
2 Movant's business and created at or near the time of the acts, conditions or events to which they relate. Any  
3 such document was prepared in the ordinary course of business of Movant by a person who had personal  
4 knowledge of the event being recorded and had or has a business duty to accurately record such. I am  
5 personally responsible for handling of all collection activity in connection with the account of Debtor(s) and I  
6 have reviewed all of Movant's books and records in connection with this matter. I have personal knowledge  
7 of the facts contained herein and if called upon to testify, I could and would competently testify thereto.

8 3. Attached to Exhibits A-D as Exhibit "A" is a true and correct copy of Retail Installment Sale  
9 Contract between Debtor(s) and Movant for the purchase of a 2004 CHRYSLER SEBRING, Vin  
10 1C3EL55R04N112585 ("the Vehicle").

11 4. Movant is, and has been since the date of this transaction, the legal owner and lienholder of  
12 record of the Vehicle subject of this Motion. Attached as Exhibit "B" to Exhibits A-D is a true and correct  
13 copy of the summary of the electronic "paperless" title information maintained in the database of the  
14 California Department of Motor Vehicles evidencing Movant's perfected interest in the Vehicle.

15 5. As of the date of this Declaration, the Debtor(s) was indebted to Movant under the terms of  
16 the Contract in the sum of \$8,956.60.

17 6. The fair market value of the Vehicle is \$5,900.00, according to the *Kelley Blue Book* used car  
18 guide website. A true and correct copy of the *Kelley Blue Book* web page is attached to Exhibits A-D as  
19 Exhibit "C".

20 7. The Contract is in default for the August 25, 2009, through October 25, 2009 payments, each  
21 in the amount of \$403.67. Late charges in the amount of \$334.94 have been assessed to Debtor's account. A  
22 true and correct copy of Debtor's account history with Movant is attached to Exhibits A-D as Exhibit "D".

23 I declare under penalty of perjury under the laws of the United States that the foregoing is true and  
24 correct to the best of my knowledge.

25 Executed on October 29, 2009, at Farmington Hills, MI.

26  
27   
28 CYNTHIA LATIMER